

LOWER PAXTON TOWNSHIP/  
BOARD OF SUPERVISORS

Minutes of Board Meeting held January 15, 2008

A workshop meeting of the Board of Supervisors of Lower Paxton Township was called to order at 6:10 p.m. by Chairman William B. Hawk on the above date in the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

Supervisors present in addition to Mr. Hawk were: William C. Seeds, Sr., William L. Hornung, Gary A. Crissman, and David B. Blain.

Also in attendance were George Wolfe, Township Manager; Steve Stine, Township Solicitor; Lori Wissler and Dianne Moran, Planning and Zoning Officers; Charles Zwally, Mette, Evans, and Woodside; Peter Gemora; Greg Holtzman, H. Edward Black and Associates; Watson Fisher; and Dr. Mark Guise.

**Pledge of Allegiance**

Mr. Hawk led in the recitation of the Pledge of Allegiance.

**Public Comment**

No public comment was presented.

Status report regarding the development of Dauphin County Heroes Grove  
in the Township's Brightbill Park

Mr. Wolfe introduced Greg Holtzman, H. Edward Black and Associates, who is providing the engineering service to Representative Ron Marsico, and his committee, for the development of the Heroes Grove facility that is proposed to be located in Brightbill Park in Lower Paxton Township. Mr. Wolfe explained that the Board members are familiar with the project, noting that the Heroes Grove Committee has been meeting for over two years. He explained that the Committee meets as a whole, on a quarterly basis.

Mr. Wolfe noted that H. Edward Black and Associates has been working with a developer that could provide initial earth moving and fill, for the project, that would compliment the future development of Heroes Grove.

Mr. Wolfe noted that he invited Mr. Holtzman to address the Board members to provide an update for the plan, as well as the proposed earth moving and fill project.

Mr. Holtzman explained that Representative Marsico came up with a concept plan to honor veterans and heroes with a memorial to be located in Dauphin County. He noted that the project is a spiral design planned to take the spirit from zero to infinity up to the heavens. He

noted that there are approximately 300 seats located in the spiral and another 300 seats in the grassy knoll. He explained that it is planned to have students from the Dauphin County Technical School design and build some of the amenities, such as the restroom facilities, sound system, and help with the plantings as well. He noted that the project is in the process of acquiring fill to bring to the site, and he explained that he is finalizing the access agreement with the owners of the Colonial Commons to allow trucks to dump dirt from the side parking area next to the former RX Place. He noted that the trucks would be dumping the fill from that area to shape the amphitheater, and explained that the purpose for doing this is to bring people to the site, to walk the area, and to garner interest in the project.

Mr. Holtzman noted that fundraisers are being planned to pay for the memorial, and it is believed that most of the fill and earthmoving work would be donated.

Mr. Wolfe requested Mr. Holtzman to explain the fill project in more detail, especially the impact that it would have on Brightbill Park. Mr. Holtzman noted that as soon as the Township gives permission, the fill would be brought to the site. He noted that there are several developers working in the Township that would be able to donate fill from their sites. He noted that the fill would be trucked down from the parking lot and tracked into place to make a spiral amphitheater. He noted that the fill would be shaped, and Erosion & Soil Control procedures would be put into place. He noted that all dirt would be stabilized as soon as it is dumped on the site.

Mr. Wolfe questioned who would be doing the on-site work. Mr. Holtzman noted that several contractors are under consideration but he was unable to provide any names at this time.

Mr. Seeds questioned where the dirt could be dumped from. Mr. Holtzman noted that it would be dumped off of Colonial Commons Drive through the side parking lot next to the former RX Place. Mr. Seeds questioned if the project would interfere with any activities in the ball parks. Mr. Holtzman answered that it would not. Mr. Seeds questioned who would oversee the project to ensure that the fill is clean, and monitor the work to keep the dust down. Mr. Seeds noted that the Township would need to have a contact person who would be in charge of the earth moving project. Mr. Holtzman noted that the dirt would be removed from the sites as part of the NPDES permitting process, noting that all dirt must be shown that it is clean fill. He noted that members of the Heroes Grove Committee would be overseeing this phase of the project.

Mr. Crissman questioned what schedule has been adopted for the project after the dirt is in place, or would the dirt remain on site for a long period of time with nothing being done. Mr. Holtzman answered that the current intent is for the spiral to be built in a downhill fashion as it is

dumped from the trucks. Mr. Crissman questioned that if the dirt would be dumped, but due to insufficient funding, there were no plans to move forward in construction, then he would have some reservations for allowing the project to start. Mr. Holtzman noted that he could provide a timeline in a timely fashion. Mr. Crissman noted that he did not want mounds of dirt available for children to injure themselves, leaving it as a liability issue for the Township.

Mr. Seeds questioned who would be liable if something happened, and a child was struck by a truck. Mr. Wolfe noted that the Township would be liable for any damages or injuries. Mr. Wolfe noted that the earthmoving would destroy the parking area of the Colonial Commons, and the Township would have to pay to repair the area. He noted that the parking area was built in a substandard manner. Mr. Holtzman noted that the owners of the Colonial Commons Mall have suggested moving the store front from the front of the building to the side of the building.

Mr. Stine questioned how much fill the project would require. Mr. Holtzman answered that it is estimated that it would take 10,000 cubic yards. Mr. Stine questioned how many truck loads that would be. Mr. Holtzman answered that it would be close to 500 truck loads. Mr. Wolfe questioned if the fill would be compacted as it was dumped. Mr. Holtzman answered that that was correct. Mr. Seeds noted that there are many issues that need to be resolved regarding a contact person and who would be in charge. He questioned what would happen, down the road, if the project was not completed.

Mr. Crissman questioned what the financial status was for the project at this time.

Mr. Holtzman noted that the current site has a wooden handrail with a trail system, but after the work is completed, the Township would have a nicely graded spiral. Mr. Wolfe noted if Heroes Grove never develops past the earthwork, it would provide for an improvement to the area in the park. He noted that the summer outdoor concerts would be more conducive to that type of site. He noted that it would only hurt the Township if the dirt was dumped, and nothing was done to grade it properly, but as long as it is graded and seeded, it would be fine.

Mr. Crissman assumed that all the work agreements would be put in writing. Mr. Holtzman noted that he has separate contractors for various types of work which includes money in the budget to pay for the clean up costs.

Mr. Wolfe noted that it has not been determined who would own the facility. Mr. Crissman noted that there is also an issue of who would pay for the maintenance for the site. Mr. Wolfe noted that discussions have been held to determine if the facility would be a County facility, an association, or owned by the Township. He noted that if the park is a county-wide facility, then he questioned how the Township could own it. He noted that the Township could

own the underlying land, and be responsible for some of the maintenance, but it is more likely to be considered a Dauphin County Park and Recreation facility. He noted that none of these issues have been resolved. Mr. Crissman suggested that this issue needs to be resolved before anyone steps on the property. Mr. Seeds noted that Dauphin County has to be involved with the project. Mr. Wolfe explained that the earthmoving and fill project would not provide for additional maintenance for the Township, but would provide for a more usable park facility. He noted that he did not see any harm in allowing the earthmoving to occur.

Mr. Crissman questioned if the parking lot was owned by the Township. Mr. Wolfe answered that it did not belong to the Township, but the Township would bear the responsibility to repair the parking lot. Mr. Wolfe noted that the parking lot was built to a lesser standard, and it would not handle the traffic from 500 trucks.

Mr. Crissman noted that as soon as Mr. Holtzman has answers to the Board's questions he should return to provide a status report.

Continued discussion regarding the rezoning proposed by Union Deposit Corporation  
for land encompassing Sportsman's Golf Course

Mr. Zwally noted that the discussion involves the rezoning of a 52-acre piece of the Sportsman's Golf Course, that was zoned Agricultural Residential, A-R, and is almost an unusable strip of land. He noted that the proposal is to divide the A-R into the Institutional Zoning, which is consistent with the southern part of the property, and the Conservation District, which is consistent to the property located to the north.

Mr. Zwally noted that a public hearing was held with the Board of Supervisors, and as a result of the public hearing, he met with a number of the adjoining residents, who raised concerns. He noted that the residents meeting was held on December 19<sup>th</sup> and went reasonably well. He noted that he reported to the Board by letter on the results of the meeting. He noted that his clients have committed to reduce densities for all Institutional Zoning from 12 units per acre to 10 units per acre. He noted that it was agreed to establish a buffer area along the entire Institutional Zoning District, on the eastern side, noting a 30-foot buffer where there is single-family detached housing, and any other development in the Institutional Zone would require a 60-foot buffer. He noted that the ordinance does not require any buffer when the land is zoned residential and abuts residential. He noted that this was a significant undertaking by the client and it took up most of the discussion during the meeting. He noted that he would like to receive the zoning change in conjunction with the commitment to the above mentioned text changes.

Mr. Zwally noted that the rezoning was taken off the agenda at the Board's January 7, 2008 meeting, and he would have to restart the process. He noted that his client is willing to do that, but he would like to have a consensus before continuing the rezoning. He noted that the agreement to reduce the density to 10-units per acre, the rezoning request would only permit another 76 dwelling units. He noted that the rezoning would provide for more flexibility in the planning for the development of the project.

Mr. Zwally explained that he though he had an agreement, in March 2007, while attending a joint Board of Supervisors/Planning Commission meeting where the changes were supported. But he noted that since that time, questions have been raised, and he is present to try to resolve the issues. He noted that he needs some guidance to know if the project can be done, and if it can't, then he would have to leave the A-R District as it is.

Mr. Hawk questioned if the residents were generally accepting what Mr. Zwally offered for his client, Mr. Mahoney. Mr. Zwally answered that that was correct. Mr. Watson Fisher noted that he agreed with Mr. Zwally. Mr. Zwally noted that he copied his letter to the residents, in addition to talking with various residents. He explained that during the meeting, a few people were designated to be the contact persons for the residents. He noted that he has been in contact with Mr. Randall Holmes in regards to the plan. He noted that the feedback that he received to the commitment to reduce the densities and reduce the setbacks was generally satisfactory to the residents.

Mr. Hawk noted that the original setback was 30 feet, and it was increased to 60 feet. Mr. Zwally noted that under the ordinance, since he is developing residential to adjoin residential, there is no setback required, but he has agreed to add a buffer of 30 feet for his single-family detached homes, and 60 feet for any other type of development.

Mr. Crissman noted that he received a phone call from Charles Sproule, a resident of the Stonegate Condominiums, who indicated that he attended the meeting, but stated that nothing was put in writing. Mr. Crissman noted that he thought that Mr. Zwally addressed Mr. Sproule's biggest concern. He noted that the residents who overlook the golf course have the greatest concerns for the buffers. Mr. Zwally noted that Mr. Sproule may not have received a copy of the letter, and that he was not designated as a spokesperson for his group. Mr. Gemora noted that he provided his card to him at the meeting and asked to be the alternate for his residential group. Mr. Zwally stated that he would ensure that Mr. Sproule receives a copy of the letter.

Mr. Wolfe noted that the ordinance needs to be amended as it relates to certain styles of development, and noted that Mr. Zwally reached an agreement with the property owners, but

how does the Township implement the changes. Mr. Zwally noted that he would have to start over with a new plan, and as he move forward, he stated that he would be happy to draft, subject to the Township's approval, text amendments which would implement the requirements. He noted that the developer is committed to these items, and if the Board wishes to amend the ordinance to incorporate the changes, it is fine, and if it does not, they would make it part of the development plans, and enter into a binding agreement establishing covenants that would go with the land. He noted that the client is willing to commit to what was promised.

Mr. Hawk noted that this involves a timing issue. Mr. Zwally suggested that the two amendments could be considered at the same time. Mr. Wolfe noted that Mr. Zwally has suggested amending the text and zoning map at the same time, and would be willing to prepare the first draft of the text amendments. Mr. Crissman noted that it was reasonable to him.

Mr. Zwally noted that he would also be willing to work on any other issues that Mr. Wolfe may have with the current text. Mr. Seeds suggested that Mr. Zwally was looking to seek the rezoning prior to making the text amendments. Mr. Stine noted that Mr. Zwally noted that he is looking to do both concurrently. Mr. Zwally noted that he would like to complete the rezoning in order to work on a master plan. He noted that he is not prepared to file a plan at this time.

Mr. Zwally noted that Mr. Hornung was looking for fewer units, and he questioned if Mr. Hornung was satisfied with the end result of 75 units. He noted that he could lower the Conservation District a half acre and bring the number in around 70 units.

Mr. Seeds questioned if this would change where Continental Drive would be located. Mr. Zwally answered that it provides more flexibility in locating Continental Drive. He noted that, at this time, he is almost forced to locate Continental Drive in the middle of the A-R District. He noted that he does not want to do that, and suggested that he could lower the location of the road. Mr. Seeds stated that he would not want to see it located higher on the mountain, as it would not be functional at that location.

Mr. Wolfe noted that building height is an issue, and suggested that the current height is 70 feet. Ms. Wissler noted that the revised building height is 60 feet. Mr. Hornung noted that it is not as much an issue of the height, but more an issue of the distance of the structure to a residential house. He suggested that for a 60-foot high building, he would want to see a 150-foot buffer. He suggested that a five foot buffer for every foot of height over 40 feet with a maximum of 60 feet be required.

Mr. Zwally noted that he would work on making the changes to the texts and provide the information to staff.

Review of the proposed developer's agreement with the McNaughton Company on improvements to Patton Road as part of the Autumn Oaks subdivision plan

Mr. Stine noted that he has worked on the developer's agreement based on the information received from the McNaughton Company. He noted that he received comments from Ms. Wissler, Ms. Moran, and Mr. Wolfe, but never received any comments from Mr. Snyder from HRG, Inc.

Mr. Seeds questioned how much it would cost the Township to pay for the permitting. Mr. Wolfe explained that the McNaughton Company has agreed to conduct all the study work required for the permitting, which would be the most expensive part of the process. He stated that he did not know how much it would cost for the actual permits.

Mr. Seeds questioned how many phases would be in the project and would they be completed in sequential order. He noted that Section four states that the construction of the Patton Road realignment would be completed during Phase III. He noted that developers do not always build their phases in order, and suggested that he could wait and do Phase III last. He noted that he may never even complete Phase III. Mr. Wolfe suggested that a certain percentage of total occupancy could be used too. It was suggested that the number could be 50%, but Ms. Wissler suggested that it would be better to have this construction completed before the area is too developed.

Mr. Wolfe noted that Mr. Stine referenced the inclusion of all necessary road improvements to include curbing and sidewalk; however, he would suspect that there would be a request of a waiver for these improvements for Patton Road. Mr. Blain noted that curbing and sidewalk already exist further south of their property, and stops at the bank area. Mr. Stine noted that the terms came from the McNaughton proposal. Mr. Seeds noted that he would want to see sidewalks installed on at least one side of Patton Road. He noted that he would want to ensure a walking area for the residents.

Mr. Stine noted that he would like to receive a response from HRG, Inc., before moving forward. Ms. Wissler responded that she would request Mr. Grubic to review the document.

Ms. Wissler noted that there were two different alignments to view for the realignment of Patton Road. Mr. Wolfe noted that Mr. McNaughton is proposing a different alignment from what had been suggested by Mr. Staub from Dauphin Engineering. He noted that it would make a difference in what the road would look like and how much it would cost. He explained that Mr. Staub's realignment provides for a far straighter curve, and impacts multiple properties. He noted that the McNaughton realignment does not reduce the amount of curvature as much, and as a

result of this, the impact upon the northern properties is less significant. Mr. Crissman questioned what engineering firm Mr. McNaughton used, knowing that the Township's plan was completed by an engineer. He noted that he would like a second opinion from an engineer before he would consider Mr. McNaughton's plan. Mr. Wolfe noted that the McNaughton's plan was completed by Mr. Tim Mellott who is an engineer. Mr. Wolfe noted that there is good and bad issues for both plans. He noted that a curvier road would provide for a greater propensity for accidents, but it would also provide some traffic calming. He noted that a straighter road would dump 300 residential units with the average of ten trips per day into the existing development at a faster speed. Ms. Wissler noted that she could have Mr. Grubic review the realignment plans as well as the agreement.

Mr. Wolfe questioned if it would be okay to send the agreement to the McNaughton Company after having the agreement reviewed by HRG, Inc. Mr. Crissman noted that HRG, Inc. would look at the agreement and the road realignment.

Mr. Seeds questioned if Mr. Stine would add that the realignment would need to be completed after they have reached 30% occupancy. Mr. Stine noted that he did not have a number to put into the agreement, and suggested that it would be more appropriate to list the number of units in place instead of a percentage amount. Mr. Stine noted that if the number is too high, the Township would receive many complaints during the construction phase for the realignment from the residents living there.

Mr. Stine noted that he would add the language to state that the realignment would need to be completed upon or after the occupancy of blank number of units. He noted that it could be left blank at this time, and discussed further before the agreement is signed. Mr. Seeds noted that he wanted it to be very clear that no building permits would be issued after a certain number of units are built, until the realignment is completed. Mr. Stine noted that that is included in Section Nine of the agreement.

Discussion regarding participation in an interest-free grace period for unpaid 2007 real estate taxes that have been developed by Dauphin County

Mr. Wolfe explained that Dauphin County is planning to extend an interest-free period for the payment of delinquent tax levies by an additional 30 days. He noted that they are modifying their collection process with a different means to notifying the delinquent tax payers. He noted that Dauphin County is inquiring if all of the municipalities wished to participate in the process to extend the 30-day grace period for the 2007 fiscal year.



Mr. Seeds noted if the letters are to be sent to the delinquent tax payers by regular mail on February 15, 2008, noting that the interest would be charged on March 1, 2008, it would not provide for 30 days to make payments. He suggested that the date to charge interest should be moved to March 15, 2008. Mr. Hornung noted that the 30-day grace period is not from the date of the mailing, but from the date that it is due. Mr. Hornung questioned what incentive there would be to pay the bill if you received another 30-days of interest free. Mr. Wolfe noted that it would complicate the tax collection process if the Township rules were different from Dauphin County's requirements. Mr. Seeds noted that many people don't pay their taxes until the last minute because they have their money invested or they don't have it. He suggested that they would not pay their taxes by the due date again, expecting the grace period to be extended in the future. Mr. Hornung questioned if there was an issue with the collection system, and that would explain the reason for offering this. Mr. Blain noted that Dauphin County states, in their letter, that the incentive plan would only result in the collection of 10% to 15%. He noted that they are not looking at a huge gain. He noted if it was projected to be a gain of 50% it would be a different matter. Mr. Stine noted that he did not see how it would whittle down the delinquency payments. He noted that if you are delinquent and you are offered more time, interest-free, you would take advantage of the time extension. Mr. Crissman noted that it was like offering a bonus.

Mr. Blain noted that it would not hurt to participate in the program, but it just doesn't make much sense.

Mr. Seeds suggested that it is not very clear as to how long the grace period would last in conjunction with the timing of the letter.

Mr. Wolfe noted that if the Board does not want to participate in the program, then action should be taken at the January 22, 2008 meeting, in order to notify Dauphin County before February 1, 2008. Mr. Seeds questioned if the Township would be criticized for not providing an extension for tax payers. Mr. Blain noted that if the Township chose to participate in the program, there would be no impact to the Township as the County is doing all the work. He suggested if Dauphin County wants to try this program, then why not join and see what happens. Mr. Blain noted that the Township may not think that it is a great idea, but Dauphin County is doing all the work, so let them try it. Mr. Wolfe noted that it would complicate the process if the interest accrued for Dauphin County on one date and the Township on another date. Mr. Crissman suggested that it would be good to let Dauphin County try the program to see what

happens. Mr. Wolfe noted that he would send official notice to Dauphin County to include the Township in the program.

Continued discussion regarding the inclusion of a waterline as part of the  
Village of Linglestown project

Mr. Wolfe provided an updated memo to the Board members explaining the current attempt to come up with creative ways to provide water as part of the construction phase for the Village of Linglestown Project. He noted that it is the desire of the Committee to have water installed as part of the road construction process for consumption purposes and fire safety.

Mr. Wolfe explained that there are three options for solving this problem; the first would be to do nothing and not include water installation as part of the project. He noted that the second option would be to allow the residents to determine if they want to pay to have the water installed, using the \$3,000 credit provided by United Water PA for each connection, noting that the entire connection costs would need to be satisfied by those property owners who choose to connect to the water service. He noted that this option would work very well if the majority of property owners choose to pay for their connection, noting that there would be very little costs to the property owners. He noted that the third option would be for United Water PA and the Township to pay for the cost of construction, estimating that it would cost the Township roughly \$200,000. He explained that United Water PA would pay for all the materials and service connections.

Mr. Hornung questioned if the Township could force people to connect to the water system. Mr. Wolfe answered that the Township cannot force residents to connect to a private utility.

Mr. Blain noted that he is not willing to pay \$200,000 for this project, especially since the Board struggled over the need to raise property taxes. He noted that the Township is currently using General Improvement Funds to fund operations, and this would be another example of an expenditure that would equal an increase of 10% in property taxes. He noted that it would not be fair to the other tax payers to pay for this. He noted that the Village of Linglestown is receiving a significant amount of money to improve their area, and he would encourage the Village of Linglestown Committee to solicit a sufficient number of property owners to commit to connecting to the water line. He noted that the Committee needs to sell the importance of connecting to the water system prior to making all the road improvements, especially for fire

safety reasons. Mr. Hawk agreed. Mr. Crissman agreed, noting that the Board needs to be fiscally prudent in its expenditures.

Mr. Seeds noted that this issue personally affects him, and he questioned if there were any federal, state or county funds that could be used. Mr. Wolfe answered that the federal and state funds could not be used. Mr. Blain noted that every day the project is delayed; the costs go up, with the price of oil at \$100 a barrel, the cost of asphalt and concrete are rising. He noted that that is why he is not in favor of doing this.

Mr. Wolfe noted that only Dauphin County funds could be used, but they are tied up as the Township's local match for the project. He noted that if the Dauphin County funds are spent, then the Township would have to make up the difference for the local matching funds. Mr. Seeds noted that it would only be an option if there were County funds left over. Mr. Wolfe noted that the Township is budgeted to the max using the County funds. He noted that PENNDOT is searching for extra funds to cover the acquisition costs from other projects.

Mr. Seeds suggested that the project will not be ready to go to bid this spring. He noted that there is no movement with the project. Mr. Wolfe noted that the acquisition must be completed, and PENNDOT needs to have enough funds to cover their part of the acquisition costs. Mr. Seeds questioned who pays for the other 20%. Mr. Wolfe answered that the Township pays for it from the Dauphin County funds. Mr. Seeds questioned what would happen if the \$700,000 of County funds is not enough. Mr. Wolfe answered that the Township would need to cover the rest of the costs. Mr. Hornung noted that the Township has close to \$1 million invested in the project already. Mr. Wolfe noted that the two remaining items are the question of the installation of a water line, and when does the Township make the offers for acquisition. He noted that after those two issues are resolved, the project would go to bid.

Mr. Seeds noted that not enough people are coming out to the meetings to discuss the water issue for whatever reason. Mr. Wolfe noted that the only time he found that people were willing to pay for the installation of public water was when their property was not properly serviced by a well. He noted when people are in that position, then they are willing to take the \$3,000 credit and pay for the rest of the expenses. He noted that that is how the problem was resolved years ago for the Fox Street residents. He noted that only 25% of the people are showing up at the meetings, and they are all willing to connect to the water service. He noted that the remaining people are not responding to the Township's request. Mr. Stine suggested that the people who are showing up probably have or have had well problems. Mr. Seeds noted that he

has never had a well problem, and to make the connection for water would cost him roughly \$10,000.

Mr. Wolfe explained that given that the lots in the Village are far less than an acre in area, any property owner who is thinking long-term would want to connect to the water lines. He noted that you would think that the 97 potential customers would want to connect to water. He noted if all the customers would agree to connect, this would not be an issue since the costs would be covered for installation. He noted that the property owners are not looking at the long-term affect on them for water service. Mr. Seeds noted that there are many absentee landlords in the Village, and some don't even live in the area. He suggested that their only concern is to get their check payments.

Mr. Blain questioned what would happen if the water line was not installed and people had to deal solely with their wells. Mr. Wolfe noted that eventually, United Water PA would have to tear up the streets to install a water line, but it may not be for ten to 20 years. Mr. Wolfe noted that there is an economic development issue as well. He noted that it becomes more difficult for restaurants and businesses to flourish when they are on wells. Mr. Hornung noted that the Chocolate Café well runs dry periodically. He noted that the well is only 70-foot deep, and the option would be to dig a deeper well. He noted that it would cost close to \$10,000 to do this.

Mr. Wolfe noted that the Village of Linglestown Committee would argue that it is a developed town with older buildings, and they need to have fire hydrants readily available. Mr. Blain noted that if that is the case, then the property owners need to step up to the plate, and put some funds into the project to make it happen. He noted that it is not fair to the other 45,000 citizens that live in Lower Paxton Township.

Mr. Blain questioned if the water line came down his street if he would have to connect to it. Mr. Wolfe answered that he would be credited \$3,000 towards the connection, and he would have to pay any costs above the \$3,000. Mr. Blain noted that that is why he thinks that the second option is the way to go.

Mr. Seeds noted that if the property owners must pick up the costs for the neighbors who choose not to connect, he might have to pick up for ten to fifteen other property owners, and it would not be affordable. He noted that he would have to pay for the connection to his properties as well, and in this case, the project is not doable.

Mr. Blain noted that if the Committee wants this to happen, then they must get all the property owners to sign up. He noted that if it means that the Village of Linglestown Committee

needs to go door to door, then that is what they will need to do. Mr. Hornung suggested that it would be more productive to do that, then to schedule another meeting. He suggested that Mr. Schoffstall would sign a commitment letter, but he would not take the time to attend a meeting. Mr. Blain noted that the Committee members need to clearly explain what is proposed by constructing the water line and the benefits that would come with it. Mr. Hornung suggested that some people may be waiting to see what the Township would do, thinking that the Township would pay for it. Mr. Crissman noted that this would then become a uniform policy for the entire Township.

Mr. Wolfe noted that it is the consensus of the Board that he should direct the Village of Linglestown Committee to go door-to-door to request residents to make a commitment to connect to public water and secure the \$3,000 credit from United Water PA. He noted that the Committee meets this Thursday, and he would pass this information on to them.

“Otta Know” Presentation: The 2008 CTCB EIT collection rate and  
LST collection issues identified by CTCB

Mr. Wolfe noted that the 2008 collection fee for Capital Tax Collection Bureau (CTCB) will be 2%. He noted that as part of the 2008 CTCB budget, they approved a third quarter equity distraction of \$1,000,000, and the Township’s amount would be roughly \$77,533.00. Mr. Crissman questioned if this was the result of maintaining a pool of funds that need to be distributed, and not wanting to continue to be top-heavy with the large sum gaining interest. Mr. Blain noted that of the \$1 million, the Township and Central Dauphin School District make up more than 35% of the distribution.

Mr. Seeds noted that it is CTCB’s opinion that military personnel who must report for guard training for two weeks would be exempt from paying the Local Service Tax. He noted that when he reported for the two weeks training, his employer made up the difference; therefore, he had no loss of income. He questioned why a military reserve person should be exempt from paying the Local Service Tax. Mr. Wolfe noted that CTCB’s solicitor has determined this to be an exemption, but he suggested that it should be the Township’s solicitor who should make that decision. He noted that CTCB is working for the Township and they should collect the taxes as directed by the Township. Mr. Crissman noted that he had no problem challenging their solicitor’s opinion.

Mr. Wolfe requested the Board to authorize Mr. Stine to investigate this issue, noting that there are sufficient grounds given the state regulations to allow charging the State reservists on

active duty, that the Township should take the position to contest CTCB's opinion. Mr. Crissman questioned who CTCB's attorney is. Mr. Blain answered that it is Spencer Nauman.

#### Improvement Guarantees

Mr. Hawk noted that there was one improvement guarantee for consideration.

#### Sheetz

A new letter of credit with Reliance Bank in the amount of \$565,000.00 with an expiration date of January 4, 2009.

Mr. Crissman made a motion to approve the one listed improvement guarantee as presented. Mr. Blain seconded the motion. Mr. Hawk called for a voice vote, and the improvement guarantee was unanimously approved.

#### **Public Comment**

Dr. Mark Guise explained that a gentleman stopped by his office and provided him with a copy of an ordinance he pulled off the Township's website stating something about Blue Mountain. He noted that he had a concern as to why the area behind the Sportsman's Golf Course would not be considered Blue Mountain. Mr. Crissman questioned if this would be in reference to the land the Boyd/Mahoney Group donated to the State as a Conservation area.

Dr. Guise noted that the person failed to provide him with the entire ordinance, therefore he could not site as to what portion of the ordinance the person was talking about. Mr. Hawk noted that he did not know how to respond to that. Mr. Guise noted that if the Township has not changed anything, then it is fine.

Mr. Hornung suggested that it may be in reference to a certain zoning that is attached to Blue Mountain, and that is not true. He noted that Blue Mountain is broken up into several zoning districts. He suggested to Dr. Guise to have the person review the zoning map on the web page.

Mr. Seeds noted that he received a West Hanover Township advertising map and suggested that the Township should look into one. Mr. Wolfe noted that he would not get involved in a Township map circular. He noted that the map is made by a company that will produce the map and mail it free of charge, noting that the map company is associated with the Community, and they sell advertising that is displayed around the map that covers the costs to produce the map. He noted that the Township has attempted to produce a similar map on two occasions, and both time, the companies that collected the money for the ads, never produced the maps. Mr. Hornung noted that the map companies disappear. Mr. Seeds questioned if the citizens

ever got a map. Mr. Wolfe answered that they did not, and the advertisers never got their money back.

Mr. Wolfe noted that anyone who tries to solicit him to do a map, he informs them that they must provide a performance bond, and they never call back. Mr. Stine noted that the Township got taken by a company a few years ago. Mr. Wolfe explained that the Community Map Company did a map in 1992, with successful results. He noted that the Township tried to create a second map a few years later without success, and then tried to use the services of the Community Map Company, and they didn't produce. He noted that it is not fair to the business community to spend \$500 for an ad, and get nothing out of it. Mr. Wolfe noted that the map does not include street names, and with the use of the Internet, you can map quest any location. Mr. Seeds noted that the company that produced the West Hanover Township map has a P.O. Box address. Mr. Wolfe noted that the P.O. Box address is not a good sign. Mr. Crissman noted that you can use the GIS for the car to find street addresses.

Mr. Wolfe noted that there are banner companies and a calendar company that used the Township's name and were not authorized by the Township. He noted that the information and grammar found in the calendar was terrible. He noted that he removed those calendars from the Municipal Center. Mr. Hornung noted that he took out an ad with one of those companies and they put his competitor's phone number in his ad in place of his.

### **Adjournment**

There being no further business, Mr. Crissman made a motion to adjourn the meeting. Mr. Blain seconded the motion, and the meeting adjourned at 7:40 p.m.

Respectfully submitted,

Maureen Heberle  
Recording Secretary

Approved by,

Gary A. Crissman  
Township Secretary